DECISION RECORD

Decision: It is my decision to authorize the issuance of a ten year grazing permit to Kap Kelly for Allotment #63046. The permit will be for 383 AUs active use with 15 AUs in temporary non-use at 82% FR. Both will be from March 1 to the end of February. Any additional mitigation measures identified in the environmental impacts sections of the attached environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed action were considered and any necessary changes have been incorporated into the environmental assessment.

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological processes, water quality and habitat for threatened and endangered species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health exist on the allotment.

If you wish to protest this proposed decision in accordance with 43 CFR §§4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. Please be specific in your points of protest. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470).

The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, and must state clearly and concisely your specific points.

Signed by T. R. Kreager — 8/10/99
Assistant Field Manager — Date

Environmental Assessment for Grazing Authorization
Allotment #63046
EA# NM-060-99-069

Roswell Field Office
Bureau of Land Management
2909 West 2nd
Roswell, NM 88201

T7S R21E, T7S R20E, T6S R20E various sections

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing permit on this allotment. There are no projects planned for this allotment at this time. Any subsequent management activities will have a site specific analysis conducted at that time.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing permit would be to authorize livestock grazing on public range on allotment #63046. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, and 4130.3-2.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision as required by 43 CFR 1610.5-3. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action and alternative is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (CWA)(33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C.

1535 et seq.) as amended; the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

II. Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize to Kap Kelly a grazing permit on allotment #63046 for 398 Animal Units (AUs). 383 AUs would be active with 15 AU's in temporary non-use at 82% federal range. Grazing will be authorized from March 1 thru the last day of February of each year. The class of livestock is cattle, sheep, or horses.

B. No Permit authorization alternative:

This alternative would be not to issue a new grazing lease. There would be no livestock grazing authorized on public land.

III. Affected Environment

A. General Setting

Allotment #63046 is located in Lincoln and Chaves counties, about 32 miles northwest of Roswell, New Mexico. This allotment contains 16,898 acres, 13,654 of which are Federal land.

This allotment is located within the Grassland vegetative community as identified within the Roswell RMP. The distinguishing feature for the grassland community is that grass species typically comprises 75% or more of the potential plant community. Short-grass, mid-grass, and tall-grass species may be found within this community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors and past resource uses.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, ACEC's, Native American Religious Concerns, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Cultural inventory surveys would continue to be required for federal actions involving surface disturbing activities. The impact of the proposed action and alternatives to minority or low-income populations or communities has been considered and no significant impact is anticipated.

B. Affected Resources

1. Soils: The soils present within this allotment belong to the following general mapping unit:

Pastura-Deama-Darvey: Very shallow, shallow, and very deep, well drained, nearly level to moderately sloping soils; on hills mesa sides, piedmonts, and valley sides.

For more information, refer to Soil Survey of Lincoln County, New Mexico.

There is a certain amount of erosion that occurs naturally in this vegetation community. High winds in the spring and high intensity thunderstorms are the primary agents of soil transportation.

2. Vegetation: This allotment is within the grassland vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community.

Vegetative monitoring was conducted on this allotment in 1983, 1987, 1990, 1992,and 1997. The study locations on this allotment are in Shallow CP-4 range sites. Analysis of the monitoring data indicates range is in good condition and trend is improving. The percent bare ground and rock fall within the parameters established by the Roswell RMP/EIS for this vegetative community. Copies of the monitoring data and the analysis of the data is available at the Roswell Field Office.

The following tables summarizes monitoring data for the allotment:

Monitoring Data Summary (Grassland Community), Allotment Averages							
	Grasses	Forbs	Shrubs	Trees	Litter	Bare Ground	Rocks
Percent composition of vegetative cover	94.65	0.08	5.03	0.24	N/A	N/A	N/A
Percent Ground Cover	37.49		1.8		19.04	14.54	27.14

3. Wildlife: This allotment is located within the Macho Wildlife Habitat Area (WHA). The Macho Habitat Management Plan (HMP) was completed in 1986, with the primary objective of providing suitable pronghorn antelope habitat within the WHA by maintaining current quality habitat areas and improving those habitats that are in poor or fair condition. A second objective is to improve the overall distribution of antelope where possible.

Game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area and associated Habitat Management Areas refer to the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1984).

4. Threatened and Endangered Species: There are no known resident populations of threatened or endangered species on the allotment. A list of federal threatened,

endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2). Of the listed species, avian species such as the bald eagle and peregrine falcon may be observed in the general geographic area during migration or winter months. There are no known records of these species having occurred on the allotment. There are no designated critical habitat areas within the allotment.

5. Livestock Management: The classes of livestock are cattle, sheep, and occasionally horses. The ranch has 4 pastures. A best pasture grazing system is used in which the sheep and cattle are rotated. Actual numbers of livestock on the allotment may be less than the permitted number depending on resource and economic conditions as determined by the operator.

6.Visual Resources: The allotment is located within and IV Visual Resource Management areas. The Class IV means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on federal land on this allotment. Small ephemeral drainages cross the allotment. The Middle Arroyo is an ephemeral draw which crosses the allotment.

8. Air Quality: Air quality in the region is generally good. The allotment is in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the federal Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Floodplains: The Middle Arroyo is an ephemeral drainage that crosses about 5 miles of federal land on the allotment. It is designated as a floodplain. (Federal Emergency Management Agency. 1978. Flood insurance rate map. Lincoln County, New Mexico).

10. Recreation: Since this allotment has no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

Legal and physical Access to public lands located in this allotment are through state lands and county maintained roads. Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails.

11. Cave/Karst: No known significant caves or karst features are known to exist on the

public lands located within this allotment. This allotment is located in an area of high cave/karst potential. There will be no further discussion of this resource.

IV. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: Livestock remove the cover of standing vegetation and litter, and compact the soil by trampling. These effects can lead to reduced infiltration rates and increased runoff. Reduced vegetative cover and increased runoff can result in higher erosion rates and soil losses, making it more difficult to produce forage and to protect the soil from further erosion. These adverse effects can be greatly reduced by maintaining an adequate vegetative cover on the soil. Soil compaction and excessive vegetative use will occur at small, localized areas such as drinking locations, along trails and at bedding areas. Positive affects from the proposed action include the speeding up of the nutrient cycling process and chipping of the soil crust by hoof action.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. Ecological condition and trend is expected to remain stable and/or improve over the long term at the permitted number of livestock. Vegetation monitoring indicates that there is an adequate amount of forage to meet multiple use objectives and for the proposed number of livestock.

3. Wildlife: Domestic livestock will continue to utilize vegetative resources needed by a variety of wildlife species for life history functions within this allotment. The magnitude of livestock grazing impacts on wildlife is dependent upon the species of wildlife being considered, and it's habitat needs. In general, livestock stocking rate adjustments have been made in the past to minimize the direct competition for those vegetative resources needed by a variety of wildlife species. Cover habitat for wildlife will remain the same as the existing situation. Maintenance and operation of existing waterings will continue to provide dependable water sources for wildlife, as well as livestock.

4. Threatened/Endangered Species: Livestock grazing, as a result of issuance of the grazing permit, may affect, but not likely adversely affect the bald eagle and peregrine falcon. It is expected that habitat and range condition would be maintained or improved by authorizing grazing conducive with vegetation production goals. Habitat for wintering bald eagles would not be negatively impacted by livestock grazing since there is no presence of riparian and aquatic habitats nearby, and no active or suitable nesting habitat. Positive impacts may result to the bald eagle from the proposed action by increasing the amount of carrion during the late winter and early spring in sheep allotments.

5. Livestock Management: Livestock would continue to be grazed under the same management system and the same permitted numbers as they have in the past. Actual livestock numbers may be less than the permitted numbers depending on vegetative and economic conditions. No adverse impacts are anticipated.

6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape, or the primary aspect of the vegetation within the allotment.

7. Water Quality - Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would still be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Floodplains: Continued livestock grazing and allotment management activities would have negligible effect on floodplain function as long as additional development in the floodplain is avoided where practical.

10. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within this allotment, since the recreational use of these public lands are relatively low. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views or hike without seeing signs of livestock. However, grazing can benefit some forms or recreation, such as hunting, by creating new water sources for game animals.
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B. Impacts of the No Livestock Grazing Alternative.

1. Soils: Soil compaction would be reduced on the allotment around old trails and drinking troughs and there would be a small reduction in soil loss on the allotment.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover. There would be no maintenance of livestock waters. As these waters became

inoperable, water availability could become a critical limiting factor for many wildlife species.

4. T&E Species: There would be no change in the impacts on the Bald Eagle or peregrine falcon from the existing situation.

5. Livestock management: The forage from public land would be unavailable for use by the permittee. This would have a significant adverse economic impact to the livestock operation. The checkerboard land status on the allotment makes it economically unfeasible to fence out the federal land and use only the private land. It would become uneconomical for the permittee to continue in the agricultural business.

6. Visual Resources: There would be no change in the visual resources.

7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.

8. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.

9. Floodplains: Changes in floodplain function would be negligible if livestock grazing was eliminated.

10. Recreation: This alternative would be beneficial to those recreationists who desire solitude and no livestock. If livestock waters are not maintained, hunting opportunities may be reduced and this could be a negative impact to hunters.

V. Cumulative Impacts

Cumulative impacts of the grazing and no grazing alternatives were considered in Chapter 4 of Rangeland Reform '94 Draft Environmental Impact Statement and in Chapter 4 of the Roswell Resource Area Proposed RMP/EIS. The no livestock grazing alternative was not selected in either document.

On the allotment specific level, there will be no cumulatively significant impacts from the proposed action or from the no grazing alternative.

VI. Residual Impacts

The area has been grazed by livestock since the early part of the 1900's, if not longer. Vegetative monitoring studies have shown that grazing, at the current permitted

numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

VII. Mitigating Measures

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

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T. R. Kreager,
Date
Acting Assistant Field Office Manager - Resources
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